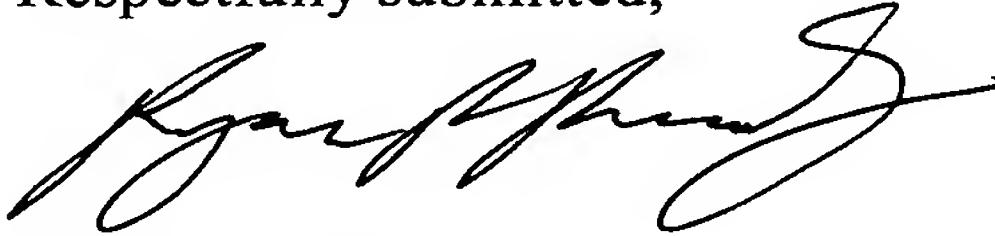


invention in that claim, or, in other words, the distinct embodiments share no common subject matter that defines a contribution over the prior art. *See* ISPE 10.09; MPEP §1850(II). In this case, the election of species requirement is between dependent claims which at least have the subject matter of claim 1 in common. Accordingly, the election of species requirement is improper and must be withdrawn.

D. Conclusion

Reconsideration and withdrawal of the restriction and election of species requirement are respectfully requested.

Respectfully submitted,



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Date: May 28, 2009

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